

H. B. No. 317, A bill to be entitled "An Act authorizing the Commissioners' Court of Scurry County to validate the sale of a certain block of land in the town of Snyder, in this State, known as Block 25, and shown on the recorded plat of the original town of Snyder, in Scurry County, of record in Book 1, at page 358 of the Deed Records of said county; authorizing the Commissioners' Court of said county to execute a deed of confirmation, without the necessity of public advertisement and public sale, and declaring an emergency,"

Have had the same under consideration, and I am directed by the committee to report said bill back to the Senate with the recommendation that it do pass.

DAVIDSON, Chairman.

Committee Room,  
Austin, Texas, Feb. 23, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred S. B. No. 287, A bill to be entitled "An Act creating the Buffalo Flat Common School District No. 20, in Hall County, Texas, describing its metes and bounds, providing for the assumption of its part of the bonded indebtedness of Turkey Independent District, placing the district under the General Laws, providing for a Board of three Trustees, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, Feb. 21, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 358, A bill to be entitled "An Act to reorganize the Sixty-third and Eighty-third Judicial Districts of the State of Texas and to prescribe the time and fix the terms of holding the courts in each of said Judicial Districts,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

RICHARDS, Chairman.

Committee Room,  
Austin, Texas, Feb. 23, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 213, A bill to be entitled "An Act diminishing the jurisdiction of the County Court of Tyler County, Texas, so that such court will have only the jurisdiction of a Probate Court and conferring the civil and criminal jurisdiction of said County Court upon the District Court of Tyler County, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

RICHARDS, Chairman.

Senate Chamber,  
Austin, Texas, Feb. 23, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 46 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

### THIRTY-THIRD DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, Feb. 24, 1921.  
The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Witt.
Hall.	Wood.
Harp.	Woods.

Absent.

Fairchild.

Page.

## Absent—Excused.

Dorough. Williams.  
Russell.

## Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

## Excused.

(On account of important business.)

Senator Harp for all of this week, on motion of Senator Murphy.

Senator Russell for balance of this week, on motion of Senator Woods.  
Senator Fairchild indefinitely, on account of committee work, on motion of Senator Murphy.

## Bills and Resolutions.

By Senator McNealus:

S. B. No. 297, A bill to be entitled "An Act to regulate the business of insurance made on what is known as the Lloyds plan, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator Davidson, by request:

S. B. No. 298, A bill to be entitled "An Act to amend Chapter 103 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fifth Legislature and approved March 28, 1917, and entitled 'An Act to amend Chapter 179 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-third Legislature, entitled An Act relating to employers' liability and providing for the compensation of certain employes, and their representatives and beneficiaries, for personal injuries sustained in the course of employment, and for deaths resulting from such injuries, and to provide and determine in what cases compensation shall be paid, and to make the payment thereof more certain and prompt by the creation of an insurance association to insure and guarantee such payments and of an industrial accident board for the investigation of claims and for the adjudication thereof for consenting parties, fixing the membership and powers of said board and its com-

pensation and duties, and the method of its appointment, and the term of office of its members and fixing also the powers, duties and liabilities of said insurance association and the extent of control over same to be exercised by the Commissioner of Insurance and Banking, and also providing for the insurance of payments of compensation to employes by certain other insurance companies and organizations, and declaring an emergency, and being an Act relating to employers' liability and providing for the compensation of certain employes and their legal beneficiaries for personal injuries in the course of employment, for their death resulting from such injuries and to provide and determine in what cases compensation shall be paid and the amount of same and the manner in which same shall be paid and creating and defining the authority of the county judge of the several counties of the State in which injuries may occur to pass upon and make rulings and decisions with respect to claims for such compensation; and defining the authority and duty of such county judges in such cases, and fixing the amount of their compensation for the performance of such duties and providing for appeals from the final ruling or decision of the county judges in such cases to the courts, and providing for the institution of suits in the courts in certain cases with respect to such claims and providing also for the issuance of policies of insurance by insurance companies and mutual and reciprocal organizations and companies to employers and the liability of such insurance companies and mutual and reciprocal organizations thereunder, and providing for self insurance by employers in certain cases and their liability thereunder; defining the powers and duties of the Commissioner of Insurance and Banking in connection with this Act; defining the duty of the Industrial Accident Board of the State of Texas with respect to claims for compensation pending before it at the time this Act becomes effective; keeping in force inchoate, vested, matured, existing or other rights, powers, duties or authority, either of any employe or legal beneficiary or any insurance association or company or

mutual or reciprocal organization existing at the time this Act takes effect; and repealing all portions and provisions of Chapter 103 of the General Laws of the Thirty-fifth Legislature entitled as above stated, except in so far as the provisions of said Act are included in this Act."

Read first time and referred to Committee on Insurance and Banking.

By Senator Dudley:

S. B. No. 299, A bill to be entitled "An Act to provide for the establishment and maintenance of a State Training School upon the cottage plan for dependent and delinquent girls of Texas, to locate same and provide for its control and management, and to make conditional appropriations, and to provide for private, county and city donations for its establishment, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Dudley:

S. B. No. 300, A bill to be entitled "An Act amending Articles 1092, 1094, and 1095 of the Revised Civil Statutes of the State of Texas of 1911, relative to incorporated cities and towns and the abolishing of their corporate existence and re-incorporation thereof; providing for the disposition of money and property of such incorporated cities and towns upon the abolishing of their corporate existence and providing for the collection and disposition of taxes due such abolished corporation; the main purpose of the Act being to provide a method whereby the money, property and taxes of an incorporated city or town whose corporate existence is abolished may be taken over by the new municipality where a new incorporation is formed with the same or additional or less territory than that of the old incorporated city or town; and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Carlock:

S. B. No. 301, A bill to be entitled "An Act repealing any and all laws passed by the Legislature of this State providing for the purchase for free distribution, and the free distribution of, text books to be used

in the public schools of this State; repealing Chapter 29 of the General Laws of the Regular Session of the Thirty-sixth Legislature upon the subject of free text books, and any and all laws amending said Chapter 29 or relative to the subject of said Chapter 29; providing that any and all laws in force at the time of the passage of said Chapter 29 providing for and relative to the selection of text books to be used in the public schools of this State shall remain in force and effect, and declaring an emergency."

Read first time and referred to Committee on Education.

By Senator Clark:

S. B. No. 302, A bill to be entitled "An Act amending Chapter 8 of Title 86 of the Revised Civil Statutes of the State of Texas of 1911, so as to make it unlawful for any workman, mechanic, carpenter or artisan to falsely claim or charge for services or material which he did not perform or furnish; providing that any such mechanic, workman, carpenter or artisan shall have no lien upon any article, implement utensil or vehicle for any such false claim for work or material and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Floyd:

S. B. No. 303, A bill to be entitled "An Act to amend Section 3 of Chapter 190, of the General Laws of the Regular Session of the Thirty-fifth Legislature, which section relates to the powers, duties, compensation, etc., to the State Highway Commission, the purpose of this Act being to permit the members of said Commission to receive an annual per diem aggregating the sum of fifteen hundred (\$1,500.00) dollars; and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Floyd:

S. B. No. 304, A bill to be entitled "An Act to amend Article 7162 and Article 7164, Revised Civil Statutes of the State of Texas of 1911; providing that said articles shall be so amended that the appraisers appointed to assess the value of any animals that have been condemned by said appraisers to be killed because said

animals are diseased with the glanders or farcy at their value at the time of making said appraisement and condemnation and shall not take into consideration that said animals had the glanders or farcy, and empowering the commissioners court to pay any amount that they may think just and right not to exceed one-half of said value, and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

(By Unanimous Consent.)

By Senator Richards:

S. B. No. 305, A bill to be entitled "An Act to protect the breeders and growers of pure bred high grade cotton seed for planting purposes, to safeguard the farmers in the purchase of purebred cotton seed of certain varietal name, establishing a system of registration and certification; providing the Commissioner of Agriculture and the President of the Agricultural and Mechanical College of Texas, shall prescribe all necessary rules and regulations and make the necessary inspections for the proper enforcement of said Act, and the Commissioner of Agriculture shall have printed tags to be placed upon bags and other containers of cotton seed offered for sale under the terms of this Act, and charge a fee for the same, and to enforce the provisions of this Act, prescribing penalties for the violation of said Act; providing that this Act shall be cumulative of Chapter 62, Acts of the Second Called Session of the Thirty-sixth Legislature, and declaring an emergency."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Parr:

S. B. No. 306, A bill to be entitled "An Act creating the Stuart Independent School District in Cameron County, Texas, and defining its boundaries; providing for the election of a board of trustees; providing for the selection of a secretary, treasurer, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, etc., of a town or village incorporated under the General Laws of the State for free

school purposes only, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator McMillin, by request:

S. B. No. 307, A bill to be entitled "An Act amending Article 2934, Title 49, Revised Civil Statutes of the State of Texas of 1911, relating to the ordering of elections in cities, towns and villages, pertaining alone to municipal affairs; providing for the giving of notice and appointment of election officers and supervisors and the selection of judges and clerks of said election, re-enacting the said section and providing in addition that if the mayor or any of the officials in whom is vested the authority of ordering such election should be a candidate at such election, then the county judge of the county should be vested with authority to appoint the presiding judges of such election, and to declare an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Witt:

S. B. No. 308, A bill to be entitled "An Act to provide for the establishment and maintenance of a State Training School for dependent and delinquent girls of Texas. To locate same and provide for its control, maintenance, and to make conditional appropriation and to provide for private, county and city donations for its establishment; providing who shall be confined in such home and how they may be committed to such institution, providing the conviction and punishment of those inducing girls to leave such home, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

#### Invitations.

Senator Wood presented to the Senate an invitation from Mrs. Clara Driscoll Sevier to an entertainment at her home on the evening of March 9th.

On motion of Senator Wood the invitation was accepted.

Senator Wood announced that the citizens of Austin were preparing a barbecue to the members of the Legislature and their families, the officers and families, and employes and families, and moved that Col. John

L. Peeler be invited to the floor of the Senate to announce the invitation.

The motion prevailed.

Col. Peeler was escorted to the President's Stand and extended the invitation, stating that the entertainment would be an old time barbecue, of beef, kid and mutton, at Clark Field, on the afternoon of March 2, at 5 o'clock. He stated that automobiles would be at the north entrance to the Capitol at 4:30 o'clock for the purpose of taking the visitors to the grounds. Following the presentation of the invitation, Senator McMillin moved that the Senate accept the invitation, which motion was unanimously adopted.

#### House Concurrent Resolution No. 28.

The Chair laid before the Senate, H. C. R. No. 28, approving designation by Highway Commission of the Jefferson Davis Highway.

The resolution was read in full and adopted.

#### House Joint Resolution No. 11.

The Chair laid before the Senate on third reading,

H. J. R. No. 11, Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows, who have been citizens of Texas prior to January 1, 1910, providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of seven (7c) cents on the 100 valuation of property in this State for the payment of such pension, providing that the Legislature may reduce the rate of pension for such purpose; fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof.

The resolution was read third time and passed finally by the following vote:

Yeas—24.

Bailey.  
Baugh.

Bledsoe.  
Carlock.

Clark.  
Cousins.  
Darwin.  
Davidson.  
Dudley.  
Floyd.  
Hall.  
Harp.  
Hertzberg.  
Lewis.

McMillin.  
McNealus.  
Murphy.  
Parr.  
Rogers.  
Sulter.  
Watts.  
Witt.  
Wood.  
Woods.

Absent.

Buchanan.  
Fairchild.

Page.  
Richards.

Absent—Excused.

Dorough.  
Russell.

Williams.

#### House Joint Resolution No. 12.

The Chair laid before the Senate, on third reading,

H. J. R. No. 12, Proposing an amendment to Section 13, Article 8, of the Constitution of the State of Texas, providing for sale and conveyance of property for taxes due thereon, and for the redemption by the former owner of land, within two years from the date of purchaser's deed.

Senator Davidson offered the following amendment:

Amend House Joint Resolution No. 12, page 2, line 5, by adding thereto the following:

"Provided that no land shall ever be sold for taxes that has been delinquent for 20 years."

(Senator Clark in the Chair.)

The amendment was read and adopted by the following vote:

Yeas—16.

Bailey.  
Baugh.  
Carlock.  
Clark.  
Cousins.  
Davidson.  
Dudley.  
Hall.

Harp.  
Lewis.  
McNealus.  
Parr.  
Rogers.  
Witt.  
Wood.  
Woods.

Nays—7.

Bledsoe.  
Darwin.  
Hertzberg.  
McMillin.

Murphy.  
Sulter.  
Watts.

Absent.

Buchanan.

Fairchild.

Floyd. Richards.  
Page.

Absent—Excused.

Dorough. Williams.  
Russell.

Senator Carlock offered the following amendment:

Amend House Joint Resolution No. 12, Section 1, page 2, line 4, by adding the word "cost," after the word "taxes," in said line.

The amendment was read and adopted by the following vote:

Yeas—18.

Baugh.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Parr.
Darwin.	Rogers.
Dudley.	Suiter.
Harp.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.

Nays—3.

Bledsoe.	Watts.
Davidson.	

Present—Not Voting.

Bailey.	Hall.
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Absent.

Buchanan.	Page.
Fairchild.	Richards.
Floyd.	

Absent—Excused.

Dorough.	Williams.
Russell.	

(Lieutenant Governor in the Chair.)

Senator Suiter offered the following amendment:

Amend House Joint Resolution No. 12, page 2, line 5, by inserting after the word "sold," the following:

"Provided that land shall not be redeemed for less than the amount paid for same at said tax sale."

The amendment was read and adopted by the following vote:

Yeas—17.

Bailey.	Davidson.
Buchanan.	Dudley.
Carlock.	Floyd.
Clark.	Hall.

Harp.	Suiter.
Hertzberg.	Witt.
Lewis.	Wood.
McNealus.	Woods.
Murphy.	

Nays—7.

Baugh.	Richards.
Bledsoe.	Rogers.
Darwin.	Watts.
Parr.	

Absent.

Cousins.	McMillin.
Fairchild.	Page.

Absent—Excused.

Dorough.	Williams.
Russell.	

Action recurred on the resolution and the same failed of passage by the following vote:

Yeas—15.

Bailey.	Harp.
Baugh.	Hertzberg.
Buchanan.	McNealus.
Clark.	Murphy.
Darwin.	Parr.
Davidson.	Suiter.
Floyd.	Witt.
Hall.	

Nays—7.

Bledsoe.	Watts.
Dudley.	Wood.
Richards.	Woods.
Rogers.	

Present—Not Voting.

Carlock.	Lewis.
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Absent.

Cousins.	McMillin.
Fairchild.	Page.

Absent—Excused.

Dorough.	Williams.
Russell.	

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, Feb. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 94, A bill to be entitled  
"An Act creating the Weslaco Inde-

pendent School District in Hidalgo county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect; providing for the appointment of an assessor and collector of taxes and board of equalization for said district, and declaring an emergency."

H. B. No. 93, A bill to be entitled "An Act creating the LaGrange Independent School District in Fayette county, Texas; defining its boundaries; providing for a board of trustees in said district; providing that the present board of trustees shall continue in office until the expiration of their terms and their successors shall have been elected and qualified as provided by general law; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore voted upon the territory hereby incorporated as the LaGrange Independent School District shall remain in full force and effect; providing for the repeal of Chapter 2 of the Local and Special Laws passed by the Third Called Session of the Thirty-sixth Legislature, and declaring an emergency."

H. B. No. 242, A bill to be entitled "An Act authorizing the erection of a monument to the memory of the soldiers, sailors, marines and nurses from Texas who lost their lives during the war between the United States and the Imperial German Government; providing for the appointment of a committee; making an appropriation therefor, permitting private donations, and declaring an emergency."

S. B. No. 138, A bill to be entitled "An Act creating the Leaky Independent School District, in Real county, Texas, providing a board of trustees therefor, vesting it with all the rights, powers and duties of districts incorporated for school purposes only

under the general laws, and declaring an emergency."

S. B. No. 151, A bill to be entitled "An Act to amend Section 2, of Chapter 8, Special Laws of the Thirty-sixth Legislature, enacted at its Fourth Called Session, redefining the boundaries of the Eagle Lake Independent School District; the said amendment providing for redefining the boundaries of said district, and providing for the extension of said district and the annexation of adjacent territory thereto, and declaring an emergency."

S. B. No. 155, A bill to be entitled "An Act creating the Laneville Independent School District of Rusk county; defining its boundaries; vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the general laws; providing for a board of trustees therefor, and declaring an emergency."

S. B. No. 95, A bill to be entitled "An Act to amend Section — of Chapter 81 of the Local and Special Laws of the State of Texas passed by the Thirty-sixth Legislature at its Regular Session, so as to redefine with greater certainty the territory within the Donna Independent School District, and declaring an emergency."

Respectfully submitted,  
N. K. BROWN, Chief Clerk,  
House of Representatives.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, Feb. 23, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House refuses to concur in Senate amendments to H. B. No. 342, and asks for the appointment of a Free Conference Committee. The following committee has been appointed on the part of the House:

Messrs. Satterwhite, Thompson of Harris, Thrasher, West and Henderson of Marion.

Respectfully submitted,  
N. K. BROWN, Chief Clerk,  
House of Representatives.

#### Simple Resolution No. 58.

Whereas, Hon. Gordon Boone, mayor of the plucky little city of

Corpus Christi, a former District Judge of this State, a worthy son of a distinguished Confederate soldier and former Attorney General of this State, is in the city.

Therefore, be it resolved that he be extended the courtesies of the floor and invited to address the Senate.

LEWIS.

The above resolution was read and adopted.

The Chair appointed Senators Lewis, Bailey and Murphy as a committee to escort Mayor Boone to the president's stand, who, after being introduced, addressed the Senate briefly.

#### Senate Joint Resolution No. 5.

Senator Woods was given unanimous consent to call up S. J. R. No. 5 for the purpose of offering proposed amendments to the resolution.

Senator Woods offered the following proposed amendments to the resolution and moved that the resolution be laid on the table subject to call. The motion was adopted.

Following are the proposed amendments:

Amend Senate Joint Resolution No. 5 as follows:

Strike out Sections 1, 2 and 3 of the said resolution and insert the following:

#### ARTICLE V.

Section 1. Judicial Department. The judicial power of this State shall be vested in one Supreme Court, in one Court of Criminal Appeals and in such inferior courts as the Legislature may, from time to time, ordain and establish.

The Supreme Court shall consist of one chief justice and so many associate justices, not less than two, as shall be provided by law, who shall be elected for terms of six years.

The Court of Criminal Appeals shall consist of three judges, who shall be elected for terms of six years.

Sec. 2. Jurisdiction of Supreme Court. The Supreme Court shall have original jurisdiction to try title to a State officer, and said court, or the justices thereof shall have power to issue writs of mandamus, prohibition and quo warrant against any

inferior judge or any officer of the State, except the Governor, and such writs as may be necessary to enforce its jurisdiction and in such cases it shall determine the facts as well as the law. Its appellate jurisdiction shall extend to all cases involving the Constitution of the State or of the United States, or the validity or construction of a statute, and it shall exercise by certiorari a supervisory jurisdiction over all inferior courts. Its original and appellate jurisdiction may be increased and regulated by law, but may not be diminished.

Sec. 3. Jurisdiction of Court of Criminal Appeals. The Court of Criminal Appeals shall have appellate jurisdiction co-extensive with the limits of the State in all criminal cases of whatever grade, with such exceptions and under such regulations as may be prescribed by law. The Court of Criminal Appeals and the judges thereof shall have power to issue writs of habeas corpus, and, under such regulations as may be provided by law, to issue such writs as may be necessary to enforce its jurisdiction, and upon affidavit or otherwise to ascertain such matters of fact as may be necessary to the exercise of its jurisdiction.

The Supreme Court shall have and exercise, by certiorari, appellate jurisdiction over the Court of Criminal Appeals in cases decided by it involving the validity of a statute, or involving the Constitution of the State or of the United States.

Sec. 4. Except as herein provided, the Supreme Court shall have exclusive power to promulgate and from time to time to amend and enforce rules governing the pleading, practice and procedure of all courts of the State. The existing rules of pleading, practice and procedure shall continue in force until and as the rules and regulations made and prescribed by the Supreme Court are promulgated, when same shall be of no further force or effect. The Supreme Court may call to its aid judges of other courts and members of the bar in the formulation of such rules. The Legislature, by a two-thirds vote of all members elected, shall have the power to provide for the repeal or modification of rules and regulations established by the Supreme Court. The Chief Justice of the court may, from time to time, assign any judge of an inferior court to such judicial duties as he may



deem expedient, and likewise may call to the aid of the Supreme Court such judge or judges as he may designate.

The qualification and election of all judges of the Supreme and other courts shall be as it now or may hereafter be determined by the Legislature.

Sec. 5. Until otherwise provided by law, all existing courts, including courts of civil appeals, district courts, county courts and other inferior courts, shall remain in existence and shall exercise their existing jurisdiction. The judges of the Supreme Court and Court of Criminal Appeals who may be in office at the time this amendment shall take effect, shall continue in office until the expiration of their respective terms of office, and until their successors shall be elected and qualified.

Sec. 6. In any reorganization of existing inferior courts, the Legislature may transfer the judges thereof to other courts or assign them to other official duties, but the compensation of such judges shall not be diminished during the terms of their respective offices.

Sec. 7. Clerks and Their Assistants. The Supreme Court and the Court of Criminal Appeals shall appoint for each of said courts, a clerk and such number of deputies or assistants as may be necessary, who shall give bond and qualify as now or may hereafter be, provided by law, shall hold their offices for terms of six years, subject to removal for good cause, entered on the minutes of the court, and shall receive such compensation as may be provided by law.

Sec. 8. General Supervisory Control of the Supreme Court. The Supreme Court shall have and exercise a general supervision of the inferior courts of the State by way of rules and regulations that the judicial business of the State may be properly co-ordinated, regulated and expedited.

Sec. 9. No judge shall sit in any case where he has been of counsel or related to either party, within such degree as may be provided by law, nor in any case where he may be interested. No judge, justice or any other officer shall receive any compensation out of any fees in any case, nor shall his salary be meas-

ured by the amount of fees in his court, nor shall he receive any gift or gratuity from any litigant.

The Legislature may provide for instances of disqualification in judges and the appointment of substitute judges.

Sec. 10. The Legislature may provide for prosecution of misdemeanors by information or on affidavit. Indictments found by grand juries for misdemeanors, returned into the courts, may be immediately certified to the court having jurisdiction of such misdemeanors.

Sec. 11. Prosecutions may be commenced in courts of original jurisdiction as may be provided by law and the Constitution. Any person may, in the manner provided by law, after examination before or commitment by a magistrate, waive indictment by a grand jury on any charge of felony punishable by confinement in the State prison for a term of not exceeding five years, and all subsequent proceedings may be had before a court of competent jurisdiction. The Legislature shall provide sufficient safeguards around the administration of such waiver and trial, so that no injustice may be done.

Sec. 12. Grand and Petit Juries. The Legislature shall provide by law for the calling, qualifications, service and organization of grand and petit juries in all civil and criminal cases, for the trial of cases by petit juries, their verdicts, and all necessary regulations to insure just trials.

Sec. 13. Officers, Their Election and Compensation. There shall be elected by the qualified voters of each county, at the regular biennial elections, the following officers: A sheriff, a county attorney, (and in counties that may be determined by the Legislature), a district attorney, a county clerk, and in counties having more than eight thousand population, a district clerk. In counties forming a separate judicial district, one attorney may be elected, who shall perform the duties of county attorney and district attorney. All such officers shall hold their offices for terms of two years and until their successors are elected and qualified. The Legislature shall provide by law for the compensation of such officers, by fixing appropriate salaries. Vacancies in such offices, except in that of district attorney, shall be filled by the Commissioner's Court of each county, or by such court as

shall have been organized by the Legislature in lieu of such Commissioner's Court, until the next general election. The Legislature may also provide for the election of constables, if deemed necessary. The powers and duties of all officers named shall be fixed by law.

Sec. 14. The Legislature may provide by law for the removal of judges of the inferior courts and other officers named herein, for official misconduct, incompetency, habitual drunkenness or other causes to be defined by law.

Sec. 15. The State shall have no right of appeal in criminal cases.

Sec. 16. Vacancies in the offices of chief justice, associate justices of the Supreme Court, the Court of Criminal Appeals, and in the courts of the grade of civil appeals and district courts, shall be filled by the Governor by appointment subject to confirmation by the Senate, until the next general election.

WOODS.

#### House Bill No. 136.

The Chair laid before the Senate on second reading,

H. B. No. 136, A bill to be entitled "An Act making appropriation to pay salaries of judges, and the support of the judicial department of the State Government for the two years, beginning September 1, 1921, and ending August 31, 1923, and declaring an emergency."

The bill was read second time, and Senator Dudley offered the following amendments, offering them severally, all being adopted:

Amend H. B. No. 136, page 2, line 19, by striking out \$600.00 for each year and inserting \$720.00 for each year.

Amend on page 2, line 21, by striking out \$600.00 for each year and inserting \$720.00 for each year.

Amend on page 4, line 8, by striking out \$600.00 for each year and inserting \$720.00 for each year.

Amend on page 5, line 16, by striking out \$600.00 for each year and inserting \$720.00 for each year.

Amend page 6, line 12, by striking out \$600.00 for each year and inserting \$720.00 for each year.

Amend page 7, line 9, by striking out \$600.00 for each year and inserting \$720.00 for each year.

Amend page 8, line 11, by striking

out \$600.00 for each year and inserting \$720.00 for each year.

Amend page 9, line 8, by striking out \$600.00 for each year and inserting \$720.00 for each year.

Amend on page 10, line 6, by striking out \$600.00 for each year, and inserting \$720.00 for each year.

Amend on page 11, line 4, by striking out \$600.00 for each year and inserting \$720.00 for each year.

Amend on page 11, line 31, by striking out \$600.00 for each year and inserting \$720.00 for each year.

Amend on page 22, line 31, by striking out \$600.00 for each year and inserting \$720.00 for each year.

Amend H. B. No. 136, page 1, under heading of "Supreme Court" by striking out "Furniture and Record Books \$1,200.00, Stationery, Typewriters, Postage and Express \$300.00," and inserting for Furniture, Record Books, Stationery, Typewriters, Postage and Express \$1,500.00 for each year.

Amend H. B. No. 136 under heading of "Court of Criminal Appeals", page 2, by eliminating the amount \$1,800.00 as "Salary of Bailiff and Stenographer" and inserting \$2,000.00 for each year.

The bill was read second time and passed to a third reading.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 136 put on its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Witt.
Hall.	Wood.
Harp.	

Absent.

Fairchild.	Watts.
Floyd.	Woods.
Page.	

Absent—Excused.

Dorough.	Williams.
Russell.	

The bill was read third time and passed finally, by the following vote:

Yeas—23.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Witt.
Hall.	Wood.
Harp.	

Absent.

Fairchild.	Watts.
Floyd.	Woods.
Page.	

Absent—Excused.

Dorough.	Williams.
Russell.	

#### Bills Read and Referred.

The Chair, Lieutenant Governor Davidson, had referred, after their captions had been read, the following House Bills:

H. B. No. 93. Referred to Committee on Educational Affairs.

H. B. No. 242. Referred to Committee on Finance.

Morning call concluded.

#### Senate Bill No. 122.

The Chair laid before the Senate, on second reading and pending business,

S. B. No. 122, A bill to be entitled "An Act establishing a State Athletic Commission and regulating the art of boxing and sparring exhibitions, or performances, in the State of Texas."

Senator McNealus moved that the bill be made a special order for Monday morning following conclusion of morning call Monday.

The motion was adopted.

Excused.

Senator Woods for balance of to-

day and this week, on account of death of a brother, on motion of Senator Clark.

#### Senate Bill No. 180.

Senator Richards called up from the table, and the Chair laid before the Senate, on third reading,

S. B. No. 180, A bill to be entitled "An Act to amend Section 1, Chapter 76, General Laws passed at the Regular Session of the Thirty-sixth Legislature, defining what constituted a public weigher, and declaring an emergency."

Senator Richards offered the following amendment:

Amend Senate Bill No. 180, page 1, Section 1, by adding after the word "warehouse," at the end of said Section 1, the following: "in their operations as a warehouseman."

Senator Hall offered the following amendment to the amendment:

Amend the amendment by adding the following: "and providing further that this Act shall not apply in any manner to any Texas port."

The amendment to the amendment was accepted, and,

The amendment, as amended, was adopted by the following vote:

Yeas—23.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Watts.
Dudley.	Witt.
Floyd.	Wood.
Hall.	

Nays—2.

McMillin.	Suiter.
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Absent.

Fairchild.	Page.
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Absent—Excused.

Dorough.	Williams.
Russell.	Woods.

(Senator Rogers in the Chair.)

The bill, having been read third time, was passed finally,

**House Bill No. 317.**

The Chair laid before the Senate, on third reading,

H. B. No. 317, A bill to be entitled "An Act authorizing the Commissioners' Court of Scurry County to validate the sale of a certain block of land in the town of Snyder, in this State, known as Block 25, and shown on the recorded plat of the original town of Snyder, in Scurry County, of record in Book 1, at page 358 of the Deed Records of said County; authorizing the commissioners court of said county to execute a deed of confirmation, without the necessity of public advertisement and public sale, and declaring an emergency."

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 317 put on its third reading and final passage by the following vote:

**Yeas—23.**

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Parr.
Clark.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Witt.
Hall.	Wood.
Harp.	

**Absent.**

Cousins.	Page.
Fairchild.	Woods.
McMillin.	

**Absent—Excused.**

Dorough.	Williams.
Russell.	

The bill was read third time and passed finally.

**Senate Bill No. 145.**

The Chair laid before the Senate, on second reading,

Senate Bill No. 145.

Senator Witt moved to lay the bill on the table subject to call.

**Senate Bill No. 284.**

Unanimous consent was given Senator Hertzberg to take up, and the Chair laid before the Senate, on second reading,

S. B. No. 284, A bill to be entitled "An Act to amend Article 1610, Title 15, Chapter 28, Penal Code of the State of Texas, relating to the punishment of excessive whipping of refractory prisoners; prohibiting the use of the lash in the penitentiary system of Texas, and prohibiting the use of chains; fixing the penalty, and declaring an emergency."

Pending.

**Free Conference Committee on House Bill No. 342.**

Senator Dudley moved that the Senate grant the request of the House for a Free Conference Committee on House Bill No. 342.

The motion was adopted.

The Chair appointed Senators Dudley, Page, Darwin, Rogers and Wood as a committee on the part of the Senate.

**Simple Resolution No. 59.**

By Senator Watts:

Whereas, The Hon. William E. Muse, former county judge of Somerville County, a world-wide traveler and a distinguished citizen of Texas is in the city. Therefore, be it

Resolved, That he be permitted the privileges of the floor, and be invited to address the Senate.

The resolution was read and adopted.

The Chair appointed Senators Watts, Clark and Davidson as a committee to escort Mr. Muse to the President's Stand, who addressed the Senate at the afternoon session.

**Recess.**

On motion of Senator Clark, the Senate, at 12:30 o'clock p. m., recessed until 3 o'clock today.

**After Recess.**

The Senate was called to order, Lieutenant Governor Davidson presiding.

**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, Feb. 24, 1921.  
Hon. Lynch Davidson, President of  
the Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has passed the following bills:

S. B. No. 158, A bill to be entitled  
"An Act creating and incorporating  
the Yorktown Independent School  
District in DeWitt County, Texas,  
containing the present Yorktown In-  
dependent School District and addi-  
tional territory described in the field  
notes herein; providing that the  
school property be vested in such in-  
dependent school district and that it  
assume all outstanding obligations  
of the school districts in the district  
created by this Act; providing for a  
board of trustees for said district,  
defining their powers and duties;  
defining the boundaries of said dis-  
trict, and declaring an emergency."

S. B. No. 160, A bill to be entitled  
"An Act creating the Hammond In-  
dependent School District in Robertson  
County, Texas, as is included by the  
field notes, as follows: Defining its  
boundaries, investing it with the  
rights, powers and duties and privi-  
leges of a district incorporated for  
school purposes under the general  
law; providing for a board of trust-  
ees therefor; making provisions for  
taxation for school purposes in said  
district, and declaring an emer-  
gency."

S. B. No. 176, A bill to be entitled  
"An Act creating the Falfurrias In-  
dependent School District in Brooks  
County, Texas; defining its boundar-  
ies; providing for a board of trustees  
in said district; conferring upon said  
district and its board of trustees all  
the rights, powers, privileges and  
duties now conferred and imposed  
by the general laws of Texas upon  
independent school districts, and the  
boards of trustees thereof; declaring  
that all taxes or bonds heretofore au-  
thorized by any former school dis-  
trict included within the bounds  
thereof shall remain in full force and  
effect, and declaring an emergency."

S. B. No. 179, A bill to be entitled  
"An Act creating the Luling In-  
dependent School District in Caldwell  
County, Texas; defining its boundar-  
ies; providing for a board of  
trustees in said district; conferring  
upon said district and its boards of

trustees all the rights, powers, privi-  
leges and duties now conferred and  
imposed by the general laws of Tex-  
as upon independent school districts  
and the boards of trustees thereof;  
providing for the election of a board  
of trustees and for their successors  
in office; providing for an assessor  
and collector of taxes and board of  
equalization; conferring upon said  
district the authority to extend its  
boundaries, and declaring an emer-  
gency."

S. B. No. 184, A bill to be entitled  
"An Act creating the Desdemona In-  
dependent School District, in Eastland  
County, Texas, defining its boundar-  
ies, such boundaries to be the same as  
Common School District No. 41 of  
Eastland County; providing for a  
Board of Trustees in said district;  
conferring upon said district and its  
Board of Trustees all the rights, pow-  
ers, privileges and duties now con-  
ferred and imposed by the General  
Laws of Texas upon independent  
school districts and the Board of  
Trustees thereof; providing that the  
present Board of Trustees of said  
Common School District No. 41 shall  
continue in office until the first Satur-  
day in April, 1921, or until their suc-  
cessors are elected and qualified; and  
providing that such Trustees shall  
have the power to appoint four other  
Trustees; providing for an election to  
be held on the first Saturday of April,  
1921, to elect the successors of said  
Trustees; declaring the maintenance  
tax and bond tax heretofore author-  
ized in said Common School District No.  
41 to be valid and binding upon said  
independent school district; providing  
for an Assessor and Collector of Taxes  
for said district; providing for the  
levying, assessing and collecting of  
taxes for the current year, and an-  
nually thereafter; providing that all  
bonds, obligations, contracts and in-  
debtedness legally existing against  
Common School District No. 41 are im-  
posed upon the Desdemona Independ-  
ent School District; providing the title  
to all property within said district and  
all funds shall vest in the Board of  
Trustees of said Desdemona Independ-  
ent School District and their succes-  
sors in office, and declaring an emer-  
gency."

S. B. No. 194, A bill to be entitled  
"An Act amending Section 20, of Chap-  
ter 68, of the Local and Special Laws  
of the State of Texas, passed by the  
Thirty-sixth Legislature, at its Regular

Session, by providing that the Board of Trustees of Pharr-San Juan Independent School District may employ an attorney to represent the said district in the enforcement of its lien for taxes; providing compensation for such services to such attorney; repealing all laws in conflict herewith and declaring an emergency."

S. B. No. 245, A bill to be entitled "An Act creating the Palestine Independent School District, in Anderson County, Texas, making its boundaries co-extensive with the City of Palestine; providing for a Board of Trustees; vesting title to all school property within said district in the Trustees and their successors; providing that the present Board of Trustees of the Palestine public schools be the Board of Trustees for this district, and the terms of office of said Trustees shall expire as heretofore, and their successors have been elected and qualified; authorizing the Board of Trustees to exercise all the rights and powers conferred by the General Laws upon Trustees, and all such powers as heretofore possessed by the Board of School Trustees of the City of Palestine; giving to said district all the rights, powers, privileges and duties of a town or village incorporated for free school purposes only; and vesting in said Board of Trustees of said district all such powers, rights, privileges and duties given or imposed by General Law upon the Trustees of independent school districts; and all such powers that are now vested in the City Council of Palestine, in so far as they relate to, or concern, the public free schools, and also such powers as are, or may be, vested in the governing body of of any city in this State incorporated under the General Laws, in so far as same relates to the public free schools; validating and continuing in force the local maintenance tax heretofore voted in said City of Palestine until the voters in this district shall increase, diminish or abolish said tax; providing that any tax provided by General Law and voted during 1921 shall be collected for 1921 and subsequent years, and may be levied, assessed and collected on or before January 31, after such election, and annually thereafter, as provided by General Law, until changed by a vote of the district; providing that if any part of this Act is held ineffective or unconstitutional, the remaining parts shall not be invali-

dated, and repealing all laws in conflict, and declaring an emergency."

H. B. No. 132, A bill to be entitled "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-third Legislature, entitled 'An Act to provide the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in subdivisions of Harris County, and repealing all laws in conflict herewith, and declaring an emergency.'"

H. B. No. 301, A bill to be entitled "An Act creating and incorporating Hale Center Independent School District, in Hale County, Texas; defining its boundaries; vesting the title to all school property within its boundaries in said Hale Center Independent School District and its Board of Trustees; fixing liability for all debts and contracts of such school; vesting the control of the public schools within said district in a Board of seven Trustees; continuing in office the Board of Trustees of the present Hale Center Independent School District until the expiration of their terms of office; abolishing all other Boards of Trustees; conferring upon said district and its Board of Trustees all rights, powers, privileges and duties as are conferred by the General Laws upon independent school districts created for school purposes only under the General Law; providing that local maintenance taxes and bonds voted by the qualified voters of Hale Center Independent School District and other districts included within the district hereby created are hereby continued in full force and effect; providing for an Assessor and Collector of Taxes and Board of Equalization; providing that said independent school district shall be liable for its pro rata part of any outstanding bonded indebtedness upon part of any territory taken from any other school district; providing for transportation of school children; providing this Act to be cumulative of General Law now in force or hereafter to be enacted governing independent school districts, and declaring an emergency."

H. B. No. 344, A bill to be entitled "An Act to create a more efficient road system for Bee County, Texas, making the County Commissioners of said county ex-officio Road Commissioners and prescribing their duties as such; providing for their compensation as such Road Commissioners, and defining their powers and duties; providing

for the condemnation of land for public road purposes, and providing that said County Court can take materials adjacent to or accessible to public roads for the construction thereof, and providing for payment thereof; providing that the Commissioners' Court shall expend money upon the roads, bridges and improvements therein in the different Commissioners' Precincts outside of the corporate limits of any city or town in proportion to the amounts of money paid into the county from such different precincts; providing for the employ of one or more competent surveyors or engineers to supervise road work; fixing their salary, and providing for payment thereof; providing for a consulting engineer and his salary; providing that said court may adopt such system for working, laying out, draining and repairing of the public roads of the county as it may deem best; further providing for the purchase of teams, tools and machinery for working said roads, and for contracting for construction of roads and bridges; providing a method of securing bids for such contracts; further providing that said Bee County, or any political subdivision thereof, may purchase any road building material or machinery; declaring certain roads and highways to be public roads; classifying all public roads; requiring the classification of the roads to be recorded in the minutes of the Commissioners' Court; providing for the protection of trees along public roads, and for signboards; providing that the court shall have the authority to pay necessary traveling expenses of the County Judge or any of the members of the court, when sent by the court out of the county on official business; providing for exemptions from road duty to certain persons; providing that certain persons shall be liable to road duty and providing a method of enforcing work on the road, and providing a penalty for failure to perform the labor required hereunder; further providing that the Commissioners' Court may require all able-bodied male convicts not otherwise employed, to labor on the public roads at such time and under such regulations as may be deemed proper, and for commutation as a reward for faithful service and good behavior, in no case to exceed one-fourth of the time required to satisfy his fine and cost, and one dollar per day for each day he labors; further providing that

if a convict satisfies his fine in full the Commissioners' Court shall pay a certain portion thereof to the officers and witnesses entitled to receive it out of the road and bridge fund upon the order of the court, and if a convict dies or escapes, the amount worked out shall be prorated on the fine, and to the officers and witnesses; and further providing that this Act shall be taken notice of by the courts of this State, but shall be construed to be cumulative of the General Laws of the State on the subjects of roads and bridges when not in conflict therewith, but in case of such conflict, this Act shall control as to Bee County; defining what the term 'roads' shall include, defining the term 'work,' repealing all other special road laws heretofore passed for the benefit of Bee County, and declaring an emergency."

H. B. No. 396, A bill to be entitled "An Act to amend Section 15, Chapter 9, of the Second Called Session of the Thirty-fifth Legislature of Texas, the same being 'An Act to create a special road law for Red River County,' providing in said amendment that the County Surveyor of Red River County, Texas, shall be ex-officio County Road Superintendent for said county, and requiring a bond."

H. B. No. 409, A bill to be entitled "An Act to create a more efficient road system for Angelina County, making County Commissioners ex-officio Road Commissioners, requiring additional bonds, providing for the improvement and building of roads and bridges by contract; providing that funds be used in precinct where collected; providing hours for labor; providing for the working of county convicts on the roads; prescribing the duties of Road Overseers; providing for the payment of a specified sum of money in lieu of road work; providing a penalty for Overseers who fail or refuse to perform their duties under this law; providing a penalty for road hands who fail or refuse summons to do good road work; providing for reports by Road Overseers; providing for the condemnation of land for road purposes; providing for compensation of County Commissioners when acting as Road Commissioners; providing for the issuance of bonds for road and bridge purposes and for levying taxes after an election favoring same; providing for the levying and collecting of a special road and bridge tax; providing for the work of a road by either road

service or taxation, or both; providing that the Road Overseer may collect from the road hands and requiring that the money be used on roads where collected, and providing a penalty for failure of such Overseer to comply with the provisions of this Act; providing that the provisions of this Act shall be cumulative of all General Laws on the subject of roads and bridges; repealing all laws and parts of laws in conflict with this Act."

H. B. No. 432, A bill to be entitled "An Act to amend Section 8 of Chapter 139 of the General Laws of the State of Texas passed by the Regular Session and amended by the Thirty-sixth Legislature at its Second Called Session, Chapter 5, page 24, of the General Laws of the Second Called Session of the Thirty-sixth Legislature; changing the time of holding court in the various counties of the Forty-second Judicial District of Texas; abolishing the criminal jurisdiction of said district court in Stephens County and conferring said criminal jurisdiction upon the District Court of the Ninetieth Judicial District of Texas; abolishing the office of Assistant District Attorney for Stephens County in the District Courts of the Forty-second Judicial District and creating the office of District Attorney in the District Court of said Ninetieth Judicial District of Texas and providing that the District Attorney of said District Court for said Ninetieth Judicial District shall draw the same salary as now being drawn by said Assistant District Attorney; validating all process, writs and bonds issued or executed prior to the taking effect of this Act; repealing all laws and parts of laws in conflict herewith, and creating an emergency."

H. B. No. 471, A bill to be entitled "An Act creating the Highland Independent School District, in Cameron county, Texas, and defining its boundaries; providing for the election of a board of trustees therefor; providing for the secretary, treasurer, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of the State for free school purposes only; prescribing the maximum rates of taxation within a specified limit of time, and declaring an emergency."

H. B. No. 336, A bill to be entitled "An Act to amend Chapter 72 of the Local and Special Laws of the Third Called Session of the Thirty-sixth Legislature, creating the Dalhart Consolidated Independent School District in Dallam and Hartley counties, and declaring an emergency."

H. B. No. 390, A bill to be entitled "An Act creating the Saint Jo Independent School District in Montague county, Texas, out of the territory known as the Saint Jo Independent School District in said county, defining its boundaries and providing for the election of trustees therefor, and authorizing the board of trustees to levy, assess and collect special taxes; conferring upon the board of trustees plenary powers; providing authority to issue bonds for the purposes of purchasing building sites, and erecting, furnishing and equipping school buildings within the said district; to levy taxes therefor, and to pay current expenses for the support and maintenance of said school; providing for a board of equalization, and prescribing the duty and authority of said board, and further prescribing the duty and authority of said board of trustees, and declaring an emergency."

H. B. No. 424, A bill to be entitled "An Act creating the Woodville Independent School District in Tyler county, Texas; defining its boundaries; providing for a board of trustees in said independent school district; conferring upon said district and its board of trustees the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees thereof; providing for the election of trustees, for the raising of revenues, issuing of bonds, building and maintaining schoolhouses, maintaining public free schools, declaring valid the local maintenance tax heretofore voted and now in effect in the territory included in the school district hereby created, repealing all laws in so far as they conflict herewith, and declaring an emergency."

H. B. No. 435, A bill to be entitled "An Act to amend Article 7305 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 10 of the Acts of the Second Called Session of the Thirty-sixth Legislature, relating to the inspection of hides and animals, by striking therefrom the word 'Webb,'



so as to include Webb among the counties subject to the provisions of Chapter 7, Title 125, of the Revised Civil Statutes of 1911, relating to regulations for the protection of stock raisers in certain localities, and declaring an emergency."

H. B. No. 463, A bill to be entitled "An Act amending Chapter 39, Local and Special Laws passed at the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, creating the Lorenzo Independent School District in Crosby and Lubbock Counties, by adding thereto after Section 15 thereof a new Section 15a, providing that said Lorenzo Independent School District shall assume any and all outstanding indebtedness and bonds and interest thereon existing at the time of the incorporation of said district, created by Lorenzo County Line Common School District No. 2; making all such indebtedness binding and valid obligation of the Lorenzo Independent School District; validating all acts of the board of trustees of the Lorenzo Independent School District in making payments either of principal or interest on any such indebtedness, and declaring an emergency."

H. B. No. 464, A bill to be entitled "An Act creating an incorporating Cone Independent School District in Crosby county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and board of equalization; providing for the Cone Independent School District shall assume and discharge all valid outstanding bonds, obligations and indebtedness of Cone Common School District No. 5 in Crosby county; validating and continuing in force all taxes heretofore voted and now in force in said Common School District No. 5; providing that title to all property now vested in Cone Common School District No. 5 shall on the passage of this Act vest in Cone Independent School District as herein created; provided for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school

districts in matters where this Act is silent; repealing all laws in conflict herewith; providing invalidation by the courts of any provision of this Act shall not invalidate any remaining portion or provision, and declaring an emergency."

H. B. No. 466, A bill to be entitled "An Act to establish and redefine Rugby Common School District No. 40 of Red River county, Texas; to validate election heretofore held in said district for local taxes for the further maintenance of public free schools in said district; to validate election heretofore held in said district for the issuance of schoolhouse bonds in said district; to authorize the Attorney General of Texas to be governed by the metes and bounds as defined in this Act in passing on the bond record made by virtue of said election for the issuance of said schoolhouse bonds; providing that said Rugby Common School District No. 40 in Red River county, Texas, shall be under the general laws of Texas with respect to common school districts when not in conflict with this Act, and declaring an emergency."

The House has adopted H. C. R. No. 29, commending Admiral A. O. Wright.

Respectfully submitted,  
N. K. BROWN, Chief Clerk,  
House of Representatives.

#### Senate Bill No. 186.

The Chair laid before the Senate, as pending business.

S. B. No. 186, A bill to be entitled "An Act to provide for the sale, lease, transfer, patenting and forfeiture of the land belonging and set apart for the use and benefit of the University of Texas, and how the money received from the sale of the University land shall be invested, and declaring an emergency."

Action recurred on the committee report and pending discussion,

Senator Buchanan moved to lay the bill on table subject to call, which motion was adopted.

#### House Bill No. 34.

Unanimous consent was given Senator Suiter, and the Chair laid before the Senate on second reading,

H. B. No. 34, A bill to be entitled

"An Act amending Article 6923 of Title 119 of the Revised Civil Statutes of the State of Texas, 1911, providing that any person summoned to work on the public roads of this State shall be exempted from the performance of such work upon payment to the road overseer of his district of \$2 for each and every day he is summoned to work, and exempting such person from all penalties for failure to work on such roads for the time for which he has so paid, and declaring an emergency."

(Senator Dudley in the Chair.)

The bill was passed to a third reading, by the following vote:

Yeas—12.

Buchanan.	Hertzberg.
Carlock.	McMillin.
Clark.	Rogers.
Cousins.	Suiter.
Davidson.	Watts.
Dudley.	Witt.

Nays—10.

Bailey.	McNealus.
Baugh.	Murphy.
Bledsoe.	Parr.
Darwin.	Richards.
Harp.	Wood.

Absent.

Fairchild.	Lewis.
Floyd.	Page.
Hall.	

Absent—Excused.

Dorough.	Williams.
Russell.	Woods.

Senator Suiter moved that the constitutional rule requiring bills to be read on three several days be suspended and H. B. No. 18 put on its third reading.

The motion was lost by the following vote:

Yeas—12.

Buchanan.	Hertzberg.
Carlock.	McMillin.
Clark.	Richards.
Cousins.	Suiter.
Davidson.	Watts.
Dudley.	Wood.

Nays—9.

Baugh.	Bledsoe.
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37—Senate.

Darwin.	Murphy.
Hall.	Parr.
Harp.	Witt.
McNealus.	

Absent.

Bailey.	Lewis.
Fairchild.	Page.
Floyd.	Rogers.

Absent—Excused.

Dorough.	Williams.
Russell.	Woods.

#### Senate Bill No. 41.

Senator Parr called from the table as a privilege motion, and the Chair laid before the Senate, S. B. No. 41, being a bill to repeal the present Minimum Wage Act.

(Lieutenant Governor Davidson in the Chair.)

The question arose as to the status of the bill, since on the 22nd inst. the Senate refused to pass the bill to engrossment, and a motion to reconsider the vote by which the Senate refused to pass the bill to engrossment and to spread the motion to reconsider on the Journal was made. It was held that the question was:

Senator Parr called up the "motion to reconsider," and moved that the Senate reconsider the vote by which the Senate refused to engross S. B. No. 41.

Senator Murphy moved to table the motion to reconsider, which motion to table was lost by the following vote:

Yeas—8.

Baugh.	Murphy.
Bledsoe.	Suiter.
Cousins.	Witt.
Davidson.	Wood.

Nays—12.

Bailey.	Floyd.
Buchanan.	Hall.
Carlock.	Harp.
Clark.	McMillin.
Darwin.	McNealus.
Dudley.	Parr.

Absent.

Lewis.	Rogers.
Page.	Watts.

## Absent—Excused.

Dorough. Woods.  
Russell.

## (Pairs Recorded.)

Senator Richards (present), who would vote nay; with Senator Fairchild (absent), who would vote yea.

Senator Hertzberg (present), who would vote yea; with Senator Williams (absent), who would vote nay.

The motion to reconsider the vote by which the Senate refused to engross the bill was adopted.

Action recurred on the engrossment of the bill and

Senator Wood moved to postpone further consideration of the bill until Wednesday morning.

Senator Parr moved to table the motion to postpone, which motion prevailed, by the following vote:

## Yeas—12.

Bailey.	Floyd.
Buchanan.	Hall.
Carlock.	Harp.
Clark.	McMillin.
Darwin.	McNealus.
Dudley.	Parr.

## Nays—8.

Baugh.	Murphy.
Bledsoe.	Sulter.
Cousins.	Witt.
Davidson.	Wood.

## Absent.

Lewis.	Rogers.
Page.	Watts.

## Absent—Excused.

Dorough. Woods.  
Russell.

## (Pairs Recorded.)

Senator Richards (present), who would vote yea; with Senator Fairchild (absent), who would vote nay.

Senator Hertzberg (present), who would vote nay; with Senator Williams (absent), who would vote yea.

Action recurred on the engrossment of the bill, and pending discussion,

Senator Murphy made the point of order that S. B. No. 41 was not properly before the Senate, since the disposal of the motion to reconsider the vote, was all that could be done,

as the bill would then revert to its place on the calendar, etc., and that S. B. No. 284 was the pending business.

The Chair overruled the point of order, holding that the reconsideration of the vote by which the bill failed of engrossment placed the bill back before the Senate for consideration in regular order.

Pending a further point of order by Senator Murphy he called up for consideration the motion by which the Senate refused to pass H. J. R. No. 13, the vote having been reconsidered and spread on the Journal.

The Chair held the motion out of order.

Pending further consideration, Senator Clark made the point of order that the objections by Senator Murphy to the consideration of the bill on engrossment come too late, etc.

The Chair (Lieut. Gov. Davidson), sustained the point of order, stating that he was not in the chair at the time the bill was taken up, and could not control the situation at that time.

Pending further consideration Senator Bledsoe made the point of order, that the bill was not properly before the Senate at this time for consideration and can not be considered because it embraces the same subject matter as embraced in S. B. No. 46 that has been engrossed and passed and sent to the House and until some action is taken in the House, the same subject matter can not be considered by the Senate at this time.

The Chair overruled the point of order.

Senator Clark moved the previous question on the bill and the main question was ordered.

The bill was passed to engrossment by the following vote:

## Yeas—12.

Bailey.	Floyd.
Buchanan.	Hall.
Carlock.	Harp.
Clark.	McMillin.
Darwin.	McNealus.
Dudley.	Parr.

## Nays—7.

Baugh.	Murphy.
Bledsoe.	Witt.
Cousins.	Wood.
Davidson.	

Absent.

Lewis.	Rogers.
Page.	Watts.

Absent—Excused.

Dorough.	Woods.
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(Pairs Recorded.)

Senator Richards (present), who would vote aye; with Senator Fairchild (absent), who would vote nay.

Senator Hertzberg (present), who would vote nay; with Senator Williams (absent), who would vote yea.

Senator Suiter (present), who would vote nay; with Senator Russell (absent), who would vote yea.

**Senate Bill No. 284.**

Action then recurred on the pending business from this morning, S. B. No. 284, the question being on the engrossment of the bill, and,

Senator McMillen moved to lay the bill on the table subject to call, which motion was lost by the following vote:

Yeas—10.

Bailey.	Hall.
Buchanan.	Harp.
Carlock.	Lewis.
Clark.	McMillin.
Darwin.	Suiter.

Nays—13.

Bledsoe.	Murphy.
Cousins.	Parr.
Davidson.	Richards.
Dudley.	Rogers.
Floyd.	Witt.
Hertzberg.	Wood.
McNealus.	

Absent.

Fairchild.	Watts.
Page.	

Absent—Excused.

Dorough.	Williams.
Russell.	

(Pairs Recorded.)

Senator Baugh (present), who would vote yea; with Senator Woods (absent), who would vote nay.

Senator Suiter offered the following amendment, which was read and adopted:

Amend S. B. No. 284 printed bill, page 576 of the Senate Journal, line 10, by inserting after the word, "prohibited," and before the word, "any" the following:

"Provided that in cases of mutiny such corporeal punishment may be applied as shall be authorized by the Governor and no such punishment shall be applied until specifically authorized by the Governor."

The bill, having been read second time, was passed to engrossment by the following vote:

Yeas—12.

Bledsoe.	Parr.
Cousins.	Richards.
Dudley.	Rogers.
Hertzberg.	Suiter.
McNealus.	Witt.
Murphy.	Wood.

Nays—9.

Bailey.	Harp.
Carlock.	Lewis.
Clark.	McMillin.
Darwin.	Watts.
Davidson.	

Absent.

Euchanan.	Hall.
Fairchild.	Page.
Floyd.	

Absent—Excused.

Dorough.	Williams.
Russell.	

(Pairs Recorded.)

Senator Baugh (present), who would vote nay; with Senator Woods (absent), who would vote yea.

Senator Hertzberg moved that the constitutional rule requiring bills to be read on three several days be suspended and S. B. No. 284 put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—12.

Bledsoe.	Parr.
Cousins.	Richards.
Dudley.	Rogers.
Hertzberg.	Suiter.
McNealus.	Witt.
Murphy.	Wood.

## Nays—9.

Bailey.	Harp.
Carlock.	Lewis.
Clark.	McMillin.
Darwin.	Watts.
Davidson.	

## Present—Not Voting.

Baugh.

## Absent.

Buchanan.	Hall.
Fairchild.	Page.
Floyd.	

## Absent—Excused.

Dorough.	Williams.
Russell.	Woods.

**House Concurrent Resolution No. 29.**

The Chair laid before the Senate,  
H. C. R. No. 29, commending  
Admiral A. O. Wright, etc.

The resolution was read and adopted.

**Senate Bill No. 251.**

The Chair laid before the Senate,  
on second reading

S. B. No. 251, A bill to be entitled  
"An Act to amend Chapter 69 of the  
Special Laws, passed at the Regular  
Session of the Thirty-second Legisla-  
ture, 1911, and approved by Govern-  
nor March 23rd, 1911, which said  
Act was amended at the Regular Ses-  
sion of the Thirty-fifth Legislature,  
1917, by Chapter 66 of the Special  
Laws of the said Thirty-fifth Legisla-  
ture and approved by the Governor  
the 26th day of March, 1917, and  
being an Act entitled 'An Act incor-  
porating the Winnsboro Independent  
School District in Wood and Frank-  
lin Counties, Texas, for free school  
purposes only, defining its bounda-  
ries, providing for a Board of Trus-  
tees, divesting the City of Winnsboro  
of the control of its public schools  
and title to school property and vest-  
ing the same in said Winnsboro In-  
dependent School District, and its  
Board of Trustees, prescribing the  
right, powers, privileges and duties  
of Trustees, and declaring an emer-  
gency,' by more clearly defining its  
boundaries and providing the date on  
which the fiscal year begins and

ends and the date on which taxes  
unpaid shall become delinquent, and  
declaring an emergency."

The committee report was adopt-  
ed.

The bill was read second time and  
passed to engrossment.

**Bills Signed.**

The Chair (Lieut. Gov. Davidson),  
gave notice of signing, and did sign,  
in the presence of the Senate, after  
their captions had been read, the  
following bills:

H. B. No. 266, A bill to be entitled  
"An Act to amend Section 2, Chapter  
6, of the Special Laws of Texas  
passed by the Second Called Session  
of the Thirty-fifth Legislature at page  
39 thereof, approved August 30,  
1917, being an Act creating the  
Alanreed Independent School Dis-  
trict in Gray county, Texas, giving  
the board of trustees the power to  
select and designate the depository  
for said school district, and declaring  
an emergency."

H. B. No. 281, A bill to be entitled  
"An Act creating the Perryton In-  
dependent School District in Ochil-  
tree County, Texas."

H. B. No. 324, A bill to be entitled  
"An Act authorizing the Polytechnic  
Heights Independent School District  
No. 42 of Tarrant County."

H. B. No. 289, A bill to be entitled  
"An Act creating the Rowena Inde-  
pendent School District in Runnels  
County, Texas."

H. B. No. 306, A bill to be entitled  
"An Act creating the Hontoon Inde-  
pendent School District in Ochil-  
tree County, Texas."

H. B. No. 307, A bill to be entitled  
"An Act creating the Booker Inde-  
pendent School District out of terri-  
tory in Lipscomb County, Texas."

H. B. No. 358, A bill to be entitled  
"An Act to reorganize the Sixty-third  
and Eighty-third Judicial Districts of  
the State of Texas."

H. B. No. 317, A bill to be entitled  
"An Act authorizing the commis-  
sioners' court of Scurry county to vali-  
date the sale of a certain block of  
land in the town of Snyder in this  
State, known as Block 25, and shown  
on the recorded plat of the original  
town of Snyder in Scurry county of  
record in Book 1, at page 358, of the  
deed records of said county; author-  
izing the commissioners' court of

said county to execute a deed of confirmation, without the necessity of public advertisement and public sale, and declaring an emergency."

S. B. No. 138, An Act creating The Leakey Independent School District.

S. B. No. 94, An Act creating the Weslaco Independent School District in Hidalgo county.

S. B. No. 995, An Act to amend Section — of Chapter 81 of local and special school laws of the State of Texas passed by the Thirty-sixth Legislature, so as to re-define Donna Independent School District.

S. B. No. 245, Palestine Independent School District.

S. B. No. 176, Falfurrias Independent School District.

S. B. No. 179, Luling Independent School District.

S. B. No. 184, Desdemona Independent School District.

S. B. No. 160, Hammond Independent School District.

S. B. No. 194, Pharr-San Juan Independent School District.

S. B. No. 158, Yorktown Independent School District.

S. B. No. 155, Laneville Independent School District.

S. B. No. 151, Eagle Lake Independent School District.

#### **Bills Read and Referred.**

The Chair, Lieutenant Governor Davidson, had referred, after their captions had been read, the following House Bills:

H. B. No. 132, Referred to Committee on Stock and Stock Raising.

H. B. No. 301, Referred to Committee on Educational Affairs.

H. B. No. 344, Referred to Committee on Roads, Bridges and Ferries.

H. B. No. 396, Referred to Committee on Roads, Bridges and Ferries.

H. B. No. 409, Referred to Committee on Roads, Bridges and Ferries.

H. B. No. 432, Referred to Committee on Judicial Districts.

H. B. No. 471, Referred to Committee on Educational Affairs.

H. B. No. 336, Referred to Committee on Educational Affairs.

H. B. No. 93, Referred to Committee on Educational Affairs.

H. B. No. 242, Referred to Committee on Finance.

H. B. No. 390, Referred to Committee on Educational Affairs.

H. B. No. 424, Referred to Committee on Educational Affairs.

H. B. No. 435, Referred to Committee on Stock and Stock Raising.

H. B. No. 464, Referred to Committee on Educational Affairs.

H. B. No. 466, Referred to Committee on Educational Affairs.

#### **Adjournment.**

On motion of Senator Clark, the Senate, at 5:45 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

#### **APPENDIX.**

##### **Committee Reports.**

Committee Room,  
Austin, Texas, Feb. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 26, A bill to be entitled "An Act to regulate and supervise the sale and purchase in the State of Texas of stocks, stock certificates, bonds, debentures or other securities, and the transaction of business in this State of persons, joint stock companies, common law trusts, co-partnerships, companies or other persons or organizations offering for sale in this State such securities excepting companies incorporated under the laws of the State of Texas, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the bill do not pass but that the Committee Substitute herewith submitted do pass and that the House Bill and Senate Committee Substitute therefor be not printed.

CARLOCK, Chairman.

Committee Room,  
Austin, Texas, Feb. 23, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 280, A bill to be entitled "An Act to amend Article 610, Chap-

ter 1, Title 18, of the Revised Civil Statutes of Texas of 1911, so as to provide in substance that the County Commissioners' Court shall in addition to being authorized to issue bonds of the county for the erection of the county court house and jail, or either, that such Commissioners' Court shall also have the power to issue the bonds of said county as provided for in said section for the construction of buildings to be used as schools or homes for dependent and delinquent boys and girls, or for either one or both of said sexes, as said Commissioners' Court might determine; to repeal all laws in conflict herewith, and declare an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal.

CARLOCK, Chairman.

Committee Room,  
Austin, Texas, Feb. 24, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Town and City Corporations, to whom was referred

S. B. No. 206, A bill to be entitled "An Act to amend Article 3934-1/2, 3934-1/2a, and Article 3934-1/2 of Title 59A, Revised Civil Statutes of Texas, relating to fire escapes required of owners and lessees of certain buildings; providing for fire alarm systems for certain non-fire-proof buildings; requiring the posting of notices of the location of fire escapes therein, and declaring an emergency,"

Have had same under final consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WATTS, Chairman.

Committee Room,  
Austin, Texas, Feb. 24, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 262, A bill to be entitled "An Act empowering the commissioners' court to employ a stenographer; prescribing qualifications and

duties; fixing compensation, and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

RICHARDS, Chairman.

Committee Room,  
Austin, Texas, Feb. 24, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred House Concurrent Resolution No. 26, A resolution permitting the Judges of the 88th and 91st Judicial Districts to leave the State during the years 1921 and 1922,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RICHARDS, Chairman.

Senate Chamber,  
Austin, Texas, Feb. 24, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred

S. B. No. 288, A bill to be entitled "An Act providing that any corporation, partnership, joint stock association, trust estate engaged in business for profit, or any religious, educational, eleemosynary, charitable, benevolent institutions or undertaking may be the beneficiary in any policy of insurance issued by any legal reserve life insurance company and shall have an insurable interest in the proceeds of said policy to the extent of the full face of same; and further providing that all corporations, partnerships, joint stock associations, or trust estates doing business for profit or any religious, educational eleemosynary, charitable or benevolent institution or undertaking now designated as beneficiaries in policies of insurance heretofore issued by a legal reserve life insurance company, shall have an insurable interest in the proceeds of said policies for the full force of said policies, and declaring an emergency,"

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass.

McMILLIN, Chairman.

Senate Chamber,  
Austin, Texas, Feb. 24, 1921.  
Hon. Lynch Davidson, President of  
the Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred

H. B. No. 12, A bill to be entitled "An Act to amend Chapter 8, Title 71, of the Revised Civil Statutes, providing for the incorporation, organization, regulation, and supervision of mutual life insurance companies in this State, and providing penalties for the violation of this Act."

Have had the same under consideration and beg to report same back to the Senate with the recommendation that it do pass.

McMILLIN, Chairman.

Committee Room,  
Austin, Texas, Feb. 24, 1921.  
Hon. Lynch Davidson, President of the  
Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred

S. B. No. 296, A bill to be entitled "An Act providing that when any bank which is a county, city or district depository for public funds under the laws of this State, suspends business, or is taken charge of by the Comptroller of the Currency or the Commissioner of the Currency or the Commissioner of Insurance and Banking, that the lawful county, city or district authorities authorized to select a depository in the first instance shall have the discretion and authority to select by contract a special depository for the public funds in suspended bank; declaring that such special depository shall assume the payment of such public funds, and it shall pay the same to the designated public authority in accordance with the contract; defining the terms of the contract, making provisions with reference thereto; providing that performance of the contract and payment of all funds described therein shall be secured by bond to be given by the special depository, with the same character of sureties as is required for regular depository bonds; providing for the approval of such special depository contracts and bonds, and leaving it to the discretion of the public authorities as to the rate of interest which such public funds shall bear, or as to whether such funds shall be non-interest bearing; providing that if any State funds

are in the county depository which has failed, the amount thereof shall be ascertained by the State Comptroller, who shall be authorized in his discretion to enter into a contract with the special depository selected by the county authorities for the custody and payment of the same, in the same manner that county authorities are authorized to enter into such contracts; giving the Comptroller authority to take and approve contracts and bonds therefor; providing, however, that State funds placed in such special depository shall bear the average rate of interest received by the State on funds placed with regularly selected State depositories; providing that nothing in this Act shall require the State, county, city or district authorities to select a special depository as is herein permitted, and declaring that such authorities may pursue their lawful remedies against the failed bank, if, in their discretion, it is best for the public interest so to do; and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

McMILLIN, Vice Chairman.

Committee Room,  
Austin, Texas, Feb. 24, 1921.  
Hon. Lynch Davidson, President of the  
Senate.

Sir: Your Committee on Public Health, to whom was referred

S. B. No. 283, A bill to be entitled "An Act providing that all doctors, physicians, midwives, nurses, or those in attendance at child birth, shall use prophylactic drops in the eyes of the new born to prevent ophthalmia neonatorum; providing that the State Board of Health shall furnish free of cost to the indigent, such prophylactic drops, affixing a penalty for violation of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HALL, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, Feb. 24, 1921.  
Hon. Lynch Davidson, President of the  
Senate.

Sir: We, a majority of your Committee on Agricultural Affairs, to whom was referred S. B. No. 282, have



had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

PARR, Chairman.

#### Petitions.

The Chair, Lieutenant Governor Davidson, offered and had read a petition from citizens of Kleburg County, protesting against the passage of S. B. No. 249. This was referred to Committee on Public Health.

Senator McNealus offered and had read a communication from Rockwall, protesting against repeal of special school appropriation law. Referred to Committee on Education.

Senator Buchanan offered and had read a telegram from Temple Chamber of Commerce, endorsing action of Governor in asking for repeal of suspended sentence law.

Senator McNealus offered a communication from Grand Prairie, urging defeat of Smith House Bill, for taxing church and school property.

Senator Bailey offered and had read a petition of citizens and business men of Cuero, Texas, asking for an appropriation of \$5,000,000.00 for the benefit of the public schools. Referred to Committee on Educational Affairs.

#### THIRTY-FOURTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, Feb. 25, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Witt.
Hall.	Wood.
Harp.	

Absent.

Fairchild.

Lewis.

Absent—Excused.

Dorough.  
Russell.

Williams.  
Woods.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

(See appendix for committee reports and petitions and memorials.)

#### Conference Committee Report On House Bill No. 227.

Committee Room,  
Austin, Texas, Feb. 24, 1921.  
Hon. Lynch Davidson, President of the Senate, and Hon. Chas. G. Thomas, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed by your respective bodies to consider the amendments of the Senate to H. B. No. 227, have had the same under consideration, and beg to report as follows:

First. Amend the bill by striking out Section 21 and insert the following, which is in lieu of the Senate amendment on the same subject, to-wit:

"Sec. 21. Each and all officers, employes and agents, handling funds or property of the corporations created under the provisions of this Act, or any property or funds of any person placed under the control of or in the possession of said corporation, shall be required to execute and deliver to the corporation a bond, for the benefit of all members of said corporation, conditioned upon the faithful performance of the duties and obligations of such person, and further conditioned that such person shall faithfully account for any and all funds, moneys and property coming into his or her hands or possession, by reason of such officer or employment, and shall promptly remit to the person, or persons, entitled to receive the same, all moneys which may come into his possession by virtue of being such officer, employe or agent, and in case of sale or failure to sell any products under the care of, and in the possession of such officer, employe or agent, that he shall promptly make a true and correct report of said sale, or in case of failure to sell, the reasons why said sale is not made.

In case the officers and directors of any corporation authorized to be creat-